



Attorneys at Law

Kenneth W. DiGia
t 212.351.4610
f 212.878.8600
KDiGia@ebglaw.com

August 28, 2020

VIA ECF

Honorable Gary R. Brown
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Caccavale v. Hewlett-Packard Company a/k/a HP Inc., et al.*
2:20-cv-00974-GRB-AKT (E.D.N.Y.)

Dear Judge Brown:

This Firm represents Defendant Unisys Corporation in the referenced matter. We write on behalf of all Defendants to request an extension of time to September 11, 2020 for Defendants to submit their reply brief in further support of their motions to dismiss Plaintiffs' First Amended Complaint (and to file all papers related to the motion) in the referenced matter. We have conferred with counsel for Plaintiffs who consents to this request.

Pursuant to the July 15, 2020 conference with the Court, Defendants' motions to dismiss were due August 5, Plaintiffs' opposition was due August 26, and Defendants' reply (and the filing of all papers) is due September 2. [DE No. 35.] Defendants served their motions on August 5. Since the issue raised is identical for all Defendants, Unisys, HP Inc. and Hewlett Packard Enterprise Company made a joint submission as a convenience to the Court, rather than having two separate submissions. On August 26, Plaintiffs served their opposition to Defendants' motion.

Defendants respectfully request an extension to September 11 to serve their reply and to file all papers. This additional time is needed to fully address the issues raised by Plaintiffs in their opposition, and to allow Defendants time to coordinate among Defendants' counsel to draft and submit one reply. In addition, as noted above, Plaintiffs consent to this extension.

Honorable Gary R. Brown
August 28, 2020
Page 2

Thank you for Your Honor's consideration.

Respectfully submitted,

/s/ Kenneth W. DiGia

Kenneth W. DiGia

cc: All Counsel of Record (VIA ECF)